IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2598 OF 2004
IN
WRIT PETITION NO.1489 OF 2002

Shri.Pundalik Ishwar Manwadkar .. Applicant
V/s
The Commissioner of Sugar & Ors. .. Respondents

Mr.Dnyaneshwar Deshmukh for the Applicant.
Mr.R.M.Patne, AGP for the Respondent No.1.
Mr.Siddharth Karpe h/f Ms.Varsha Palav for Res.No.3.

CORAM: S.RADHAKRISHNAN &
S.A.BOBDE, JJ.
DATE : 20.10.2004.

P.C.:

1. Heard the learned Counsel for the Applicant, the learned AGP for Respondent No.1 and the learned Counsel for Respondent No.3. Rule. Rule is made returnable forthwith by consent.

2. By this Civil Application Applicant is seeking to recall the order dated 4th October, 2004 whereby the Writ Petition was dismissed in default. Perused the Civil Application. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal and for restoring the Writ Petition. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence Civil Application is made absolute in terms of prayer clause (a). Place the Writ Petition on board for final hearing on 1.12.2004.

(S.RADHAKRISHNAN,J.)

(S.A.BOBDE,J.)